



IN REPLY REFER TO:

## United States Department of the Interior

### FISH AND WILDLIFE SERVICE

East Lansing Field Office (ES)  
2651 Coolidge Road, Suite 101  
East Lansing, Michigan 48823-6316

October 5, 2004

Mr. David M. Kennedy, Director  
Office of Response and Restoration, National Ocean Service  
National Oceanic and Atmospheric Administration  
SSMC4, Room 10102  
1305 East-West Highway  
Silver Spring, Maryland 20910-3281

Dear Mr. Kennedy:

The U.S. Fish and Wildlife Service, on behalf of the Secretary of the Interior, is developing a claim for natural resource damage assessment costs for the Rouge River and Detroit River Mystery Oil Spill of April 2002 pursuant to §102(b)(2) of the Oil Pollution Act of 1990. We are inviting you to evaluate your trusteeship and consider joining us in making a claim for assessment costs and proceeding toward restoration of natural resources injured by this spill.

We are also inviting the State of Michigan to join this effort. On September 29, 2004, Governor Granholm designated the Directors of the Michigan Department of Environmental Quality and Department of Natural Resources as co-trustees in conjunction with the Michigan Attorney General for the State of Michigan.

Federal and State investigators have not identified a responsible party for this spill, so we will be making a claim for natural resource damages to the Oil Spill Liability Trust Fund. The President, acting through the U.S. Coast Guard's National Pollution Fund Center, is authorized to use the Oil Spill Liability Trust Fund to pay the claims of natural resource trustees for uncompensated natural resource damages in accordance with §1012 of the Oil Pollution Act of 1990.

We believe that the public and their natural resources are best served by all of the natural resource trustees working together on assessment and restoration, as their respective resources allow. We look forward to hearing from you as to whether your agency will participate in this claim or not. Because we intend to submit a claim to the U.S. Coast Guard by the end of this year, your response to this matter at your earliest convenience is appreciated. If you have any questions, please feel free to contact Dr. Lisa Williams, of this office, at 517/351-8324.

Thank you in advance for your consideration and expeditious response to this matter.

Sincerely,

  
for Craig A. Czarnecki  
Field Supervisor

cc: Tom Brosnan, NOAA DAC

g: admin/archives/oct04/RougeNOAAinvite.llw.doc

From: Lisa\_Williams@fws.gov [mailto:Lisa\_Williams@fws.gov]  
Sent: Thursday, October 28, 2004 2:11 PM  
To: Timothy Reilly  
Cc: Niccole\_Wandear@fws.gov  
Subject: RE: Rouge NRDA Hours

I haven't heard anything from the state. Tom Brosnan called for NOAA. They do not plan to become active trustees unless we think they can be value-added through trust resource "jurisdiction" or use of their economists or other experts and we ask them to help. He said he would get a written reply to me to reflect that.

For the state, we may have to say only that we've invited them, we expect some staff involvement but no financial resources for the assessment as Michigan is under severe budget restraints.

-Lisa

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